

REMARKS

In the Office Action of June 17, 2009, claims 1-6 and 15 were rejected under 35 U.S.C. § 103(a) as obvious over Lee et al. (U.S. Pub. 2002/0076879) in view of Kawai et al. (USPN 5,675,173). Reconsideration and allowance of the claims in light of the amendments and arguments herein are respectfully requested.

Amended Claim 1

Claim 1 has been amended to include the limitation of claim 15.

Claim 15 provides that the semiconductor component comprises a gate oxide layer over a surface of the second covering insulation layer. Neither Lee et al. nor Kawai et al. disclose a gate oxide layer over a surface of a second covering insulation layer.

The Office Action cites Kawai et al. inter-level insulation film 11 as the gate oxide layer over a surface of a second covering insulation layer. The Office Action does not indicate which element of Kawai et al. meets the “second covering insulation layer” limitation of claim 15. Figure 2 of Kawai et al. shows that the inter-level insulation film 11 is over a field oxide film 10. The field oxide film 10, however, is not over **a first covering insulation layer**, as defined in claim 1, and hence claim 15 (“a second covering insulation layer over the first covering insulation layer”). Therefore, because the inter-level insulation film 11 is not over a second covering insulation film that is over a first covering insulation film, the inter-level insulation film 11 of Kawai et al. does not meet the gate oxide layer limitation of claim 15. In addition, as stated in the Office Action, “Lee does not teach a contact opening through the trench contact insulation layer and in contact with the surface of the electrically conductive filling layer.” For these reasons, the rejection of claim 15 should be withdrawn.

Applicants respectfully request the allowance of claims 1-6.

CONCLUSION

Therefore, in view of the above remarks, we respectfully submit that this application is in condition for allowance and such action is earnestly requested.

If for any reason the Examiner is not able to allow the application, she is requested to contact the Applicants' undersigned attorney at (312) 321-4200.

BRINKS
HOFFER
GILSON
& LIONE

Respectfully submitted,

/John R. Lagowski/
John R. Lagowski
Registration No. 41,922
Attorney for Applicant

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200